

ORIGINAL

Approved:



CECILIA E. VOGEL

Assistant United States Attorney

Before: HONORABLE JAMES L. COTT
 United States Magistrate Judge
 Southern District of New York

19MAG 8501

----- X -----

	:	<u>COMPLAINT</u>
UNITED STATES OF AMERICA	:	Violation of 21 U.S.C.
- v. -	:	§ 846
	:	
ROSA SANTIAGO RODRIGUEZ,	:	COUNTY OF OFFENSE:
	:	NEW YORK
Defendant.	:	
	:	

----- X -----

SOUTHERN DISTRICT OF NEW YORK, ss.:

JOHN KERWICK, being duly sworn, deposes and says that he is a Task Force Officer with the Drug Enforcement Administration ("DEA"), and charges as follows:

COUNT ONE

1. In or about September 2019, in the Southern District of New York and elsewhere, ROSA SANTIAGO RODRIGUEZ, the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that ROSA SANTIAGO RODRIGUEZ, the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substance that ROSA SANTIAGO RODRIGUEZ, the defendant, conspired to distribute and possess with intent to distribute was 500 grams and more of mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(b) (1) (B) .

(Title 21, United States Code, Section 846.)

The basis for my knowledge and the foregoing charge are, in part, as follows:

4. I am a Task Force Officer with the DEA. I have been personally involved in the investigation of this matter. This Affidavit is based upon my personal participation in the investigation, my examination of reports and records, and my conversations with other law enforcement agents and other individuals. Because this Affidavit is being submitted for the limited purpose of demonstrating probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

5. Since in or about May 2019, the DEA has been investigating a drug trafficking organization ("DTO") that is transporting narcotics from the Southwest to the Northeast of the United States, including the New York metropolitan area. The investigation has resulted in seizures of fentanyl and heroin in New York, Rhode Island, and New Jersey. During the course of its investigation, the DEA identified an apartment in Washington Heights in Manhattan ("Apartment-1") as a location potentially used by the DTO in its drug trafficking activities.

6. Based on my participation in this investigation, including my conversations with other law enforcement agents, I have learned the following, in substance and in part:

a. On or about September 10, 2019, at approximately 6:30 a.m., I and another law enforcement agent visited Apartment-1 and knocked on the door. I observed lights on in Apartment-1 but no one responded to the knock. The other agent and I waited outside of Apartment-1. At approximately 8:00 a.m., ROSA SANTIAGO RODRIGUEZ, the defendant, exited Apartment-1 with a young boy, who she later identified as her son. The other agent and I identified ourselves as law enforcement and asked to speak with SANTIAGO RODRIGUEZ.

SANTIAGO RODRIGUEZ agreed to speak with us in Apartment-1. SANTIAGO RODRIGUEZ stated, in sum and substance, that she lives alone in Apartment-1 with her son and that she has lived in Apartment-1 for approximately six years.

b. The other agent and I subsequently spoke with SANTIAGO RODRIGUEZ in English in the kitchen of Apartment-1. Other law enforcement agents waited outside of Apartment-1. During the conversation, SANTIAGO RODRIGUEZ put her jacket and purse on top of what appeared to be a money counter on the stovetop, as if to hide the money counter. I asked SANTIAGO RODRIGUEZ about the money counter, and she responded, in sum and substance, that she had it for a jewelry business. During the conversation, I also observed several bags of rubber bands in the kitchen and a small bag containing what appeared to be marijuana. The other agent and I informed SANTIAGO RODRIGUEZ of the general nature of the DEA investigation and asked her, in sum and substance, whether there were any firearms, any significant amounts of cash, or anything illegal in Apartment-1, all of which she denied.

c. During the conversation, another agent and I asked SANTIAGO RODRIGUEZ if she wanted to speak with a Spanish-speaking agent, to which SANTIAGO RODRIGUEZ responded affirmatively. The other agent and I put a Spanish-speaking agent on speakerphone. With the assistance of the Spanish-speaking agent, I requested to search Apartment-1. SANTIAGO RODRIGUEZ consented orally and signed a written, Spanish consent to search form authorizing the DEA to search Apartment-1.

d. I and other law enforcement agents, who had previously been waiting outside of Apartment-1, subsequently searched Apartment-1. During the search, law enforcement found the following, among other things:

i. A brick-like, vacuum-sealed package was recovered in a kitchen cupboard. Based on a field test of the contents of the package, I have learned that the contents of the package have tested positive for cocaine and that the package weighs approximately one kilogram. In the vicinity of where the brick-like package was recovered was a mask and additional bags of rubber bands. Based on my training and experience, I know that such materials are often used in the course of packaging narcotics for distribution.

ii. Approximately \$100,000 in cash bundled in rubber bands inside of an open shopping bag was recovered on top of the bed in what appeared to be the child's room.

iii. Approximately \$10,000 to \$20,000 in cash bundled in rubber bands inside of a purse was recovered in a closet near the entry of Apartment-1.

iv. A money counter was recovered from the vicinity of the stovetop in the kitchen.

v. A pink notebook was recovered on a kitchen table that contains SANTIAGO RODRIGUEZ's name on various pages and appears, based on my training and experience, to be a ledger. The ledger appears to list, among other things, various large sums of money in the tens and hundreds of thousands of dollars and lists in various places the names of different individuals. Based on my training and experience, I know that individuals involved in narcotics distribution often keep ledgers to track payments and amounts owed for the narcotics.

vi. A box of bullets and a small scale were recovered inside of a kitchen cabinet. Based on my training and experience, I know that scales such as the one recovered in the kitchen cabinet are often used in the course of packaging narcotics for distribution.

vii. Approximately several hundred small zip lock bags in a plastic container were recovered in the kitchen. Based on my training and experience, I know that zip lock bags such as those recovered from Apartment-1 are often used in the course of packaging narcotics for distribution.

e. During the course of the search, SANTIAGO RODRIGUEZ and her son remained at liberty in Apartment-1. During the course of the search, I asked SANTIAGO RODRIGUEZ various questions in English regarding the recovered items. SANTIAGO RODRIGUEZ stated, in substance and in part, the following:

i. The cash recovered in Apartment-1 in part belonged to other unidentified people.

ii. She knew the brick-like package recovered in the kitchen contained narcotics but she did not know what kind of narcotics. In response to questions regarding who owned the narcotics, she stated in substance and part that "it is not important" and "why does it even matter."

iii. She previously had a firearm in Apartment-1 but an unidentified person removed it from Apartment-1.

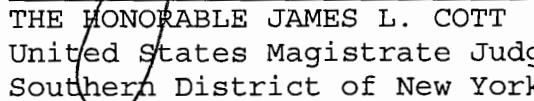
f. After the search of Apartment-1 was completed, SANTIAGO RODRIGUEZ was handcuffed and arrested.

WHEREFORE, I respectfully request that ROSA SANTIAGO RODRIGUEZ, the defendant, be imprisoned or bailed, as the case may be.



John Kerwick
Task Force Officer
Drug Enforcement Administration

Sworn to before me this
10th day of September, 2019



THE HONORABLE JAMES L. COTT
United States Magistrate Judge
Southern District of New York